

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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DARRYL NICKS,

Plaintiff, **DECLARATION OF  
SERVICE OF SUMMONS  
AND COMPLAINT ON  
DEFENDANTS CITY OF  
NEW YORK & HORN**

-against-

THE CITY OF NEW YORK; COMMISSIONER MARTIN  
F. HORN; WARDEN JOHN DOE # 1, DEPUTY  
WARDEN JOHN DOE # 2, SUPERVISOR  
CORRECTIONS OFFICER JOHN DOES # 1-2; and  
CORRECTIONS OFFICER JOHN DOES # 1-5; the  
individual defendants sued individually and in their official  
capacities,

07 CV 10596 (WHP) (THK)

Defendants.

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I, MICHAEL OLIVER HUESTON, declare, pursuant to 28 U.S.C.  
§ 1746, under penalty of perjury as follows:

I am not a party to this action, I am over 18 years of age, and I reside in the  
State of New York. On November 28, 2007, at approximately 11:10 a.m., I served the  
summons and complaint in this matter on defendants CITY OF NEW YORK and  
MARTIN F. HORN, by delivering a copy of same to DOCKET CLERK TAMEKIA  
MENDES-GAMMON, a person of suitable age and discretion at defendants' place of  
business, within the state, at LAW DEPARTMENT OF THE CITY OF NEW YORK,  
100 Church Street, New York, New York. This person is a Black female, approximately  
25 years old, and approximately 5' 7" tall.

2. On November 27, 2007, I mailed a copy of the summons and  
complaint post paid by first class mail properly addressed to the defendants at the  
aforementioned address in an envelope marked personal and confidential and not  
indicating that the communication was from an attorney or concerned an action against  
the defendants and deposited said envelope in a post office official depository under  
exclusive care of the United States Postal Service.

Dated: New York, New York  
November 28, 2007

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MICHAEL O. HUESTON (MH 0931)  
350 Fifth Avenue, Suite 4810  
New York, New York 10118